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## MEMO ENDORSED

October 10, 2007

**BY HAND**

Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Louis Torres v. City of New York, et al., 07 Civ. 7355 (PKC)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the above-referenced case representing the City of New York ("City"). I write with respect to the above-referenced matter in which plaintiff alleges that defendants falsely arrested and subjected him to excessive force. Defendant City respectfully requests an adjournment of the Initial Conference scheduled for October 19, 2007 at 10:15 a.m. and an extension of time to file the joint letter required by Your Honor's August 30, 2007 Scheduling Order. Plaintiff's counsel consents to this request.

Defendant City requests this adjournment due to a scheduling conflict with another court conference. I am presently scheduled for an 11:00 a.m. status conference before Magistrate Michael L. Orenstein at the Central Islip Courthouse of the Eastern District of New York on October 19, 2007. Given the travel time required, I cannot attend both conferences.

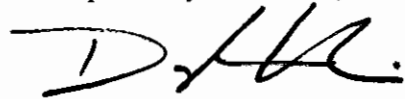
Additionally, Your Honor granted defendant City an extension of time to answer or otherwise respond until November 16, 2007, so that this office could adequately investigate the allegations of the complaint and make representation decisions with regard to any individually named defendants. Defendant City is still investigating the allegations made by plaintiff and accordingly, does not have sufficient information to have an informed position with regard to a discovery schedule or settlement at this juncture. Therefore, defendant City also respectfully requests the adjournment so this office may have sufficient time to investigate plaintiff's allegations before presenting a position on discovery and settlement. For the same reasons, defendant City also respectfully requests additional time to file the joint letter for the

Initial Conference as ordered by the Court until five business days before the date of a rescheduled Initial Conference.

No previous request for an adjournment of the Initial Conference has been made in this action. Accordingly, for the aforementioned reasons, defendant City respectfully requests and adjournment of the October 19, 2007 Initial Conference until a date and time convenient to the Court and an extension of time to file the joint letter for the Initial Conference consummate with a newly appointed date.

Thank you for your consideration herein.

Respectfully submitted,



Douglas W. Heim (DH 5238)  
Assistant Corporation Counsel  
Special Federal Litigation Division

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*Initial conference and  
joint letter adjourned  
from October 19 to  
November 30, 2007 at 10:30 a.m.  
SO ORDERED  
[Signature]  
USDJ  
10-11-07*